

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ACCELERON, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 10-128 (SLR)
)	
HEWLETT-PACKARD COMPANY,)	
INTEL CORPORATION, NEC)	
CORPORATION OF AMERICA, SUN)	
MICROSYSTEMS, INC., SILICON)	
GRAPHICS INT'L CORP.,)	
)	
Defendants.)	

**SUN MICROSYSTEMS, INC.'S UNOPPOSED MOTION TO SUBSTITUTE
ORACLE AMERICA, INC. FOR SUN MICROSYSTEMS, INC.**

Defendant Sun Microsystems, Inc. moves to substitute Oracle America, Inc. as defendant in place of Sun Microsystems, Inc.

On February 15, 2010, Oracle USA, Inc. merged with and into Sun Microsystems, Inc. Sun Microsystems, Inc., the surviving corporation, was then renamed "Oracle America, Inc."

Counsel for all parties have discussed this motion, and the motion is not opposed. Sun Microsystems thus requests that its motion be granted, and the Court enter the attached order.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Maryellen Noreika

Maryellen Noreika (#3208)

Paul Saindon (#5110)

1201 North Market Street

P.O. Box 1347

Wilmington, DE 19899

(302) 658-9200

mnoreika@mnat.com

psaindon@mnat.com

Attorneys for Defendant Oracle America, Inc.

OF COUNSEL:

Raymond A. Kurz

Celine Jimenez Crowson

Rebekah L. Osborn

Joseph J. Raffetto

HOGAN LOVELLS US LLP

555 Thirteenth Street, NW

Washington, DC 20004

(202) 637-5600

June 1, 2010

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ACCELERON, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 10-128 (SLR)
)	
HEWLETT-PACKARD COMPANY,)	
INTEL CORPORATION, NEC)	
CORPORATION OF AMERICA, SUN)	
MICROSYSTEMS, INC., SILICON)	
GRAPHICS INT'L CORP.,)	
)	
Defendants.)	

ORDER

WHEREAS defendant Sun Microsystems, Inc. has moved for leave to change the caption, and the plaintiff and co-defendants do not oppose that motion,

IT IS HEREBY ORDERED that:

- (1) Sun Microsystems, Inc.'s motion is granted; and
- (2) The caption shall be amended as follows:

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ACCELERON, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 10-128 (SLR)
)	
HEWLETT-PACKARD COMPANY,)	
INTEL CORPORATION, NEC)	
CORPORATION OF AMERICA, ORACLE)	
AMERICA, INC., SILICON GRAPHICS)	
INT'L CORP.,)	
)	
Defendants.)	

J.

CERTIFICATE OF SERVICE

I hereby certify that on June 1, 2010, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to:

Steven J. Balick, Esquire
Lauren E. Maguire, Esquire
Caroline Hong, Esquire
ASHBY & GEDDES

William J. Wade, Esquire
Anne Shea Gaza, Esquire
Stephen M. Ferguson, Esquire
RICHARDS, LAYTON & FINGER, P.A.

Richard L. Horwitz, Esquire
POTTER ANDERSON & CORROON LLP

Thomas C. Grimm, Esquire
Benjamin J. Schladweiler, Esquire
MORRIS, NICHOLS, ARSHT & TUNNELL LLP

I further certify that I caused copies of the foregoing document to be served on June 1, 2010, upon the following in the manner indicated:

Steven J. Balick, Esquire
Lauren E. Maguire, Esquire
Caroline Hong, Esquire
ASHBY & GEDDES
500 Delaware Avenue, 8th Floor
Wilmington, DE 19801
Attorneys for Acceleron, LLC

VIA ELECTRONIC MAIL

Patrick J. Flinn, Esquire
George Medlock, Jr., Esquire
ALSTON & BIRD, LLP
One Atlantic Center
1201 West Peachtree Street
Atlanta, GA 30309-3424
Attorneys for Acceleron, LLC

VIA ELECTRONIC MAIL

Jason W. Cook, Esquire
ALSTON & BIRD LLP
Chase Tower
2200 Ross Avenue – Suite 3601
Dallas, TX 75201
Attorneys for Acceleron, LLC

VIA ELECTRONIC MAIL

Sarah C. Hsia, Esquire
ALSTON & BIRD LLP
90 Park Avenue
New York, NY 10016
Attorneys for Acceleron, LLC

VIA ELECTRONIC MAIL

William J. Wade, Esquire
Anne Shea Gaza, Esquire
Stephen M. Ferguson, Esquire
RICHARDS, LAYTON & FINGER, P.A.
One Rodney Square
920 North King Street
Wilmington, DE 19801
Attorneys for Hewlett-Packard Company

VIA ELECTRONIC MAIL

Heather N. Mewes, Esquire
Erin C. Jones, Esquire
Lauren E. Whittemore, Esquire
FENWICK & WEST LLP
555 California Street – 12th Floor
San Francisco, CA 94104
Attorneys for Hewlett-Packard Company

VIA ELECTRONIC MAIL

Charlene M. Morrow, Esquire
Henry Z. Carbajal III, Esquire
FENWICK & WEST LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Attorneys for Hewlett-Packard Company

VIA ELECTRONIC MAIL

Richard L. Horwitz, Esquire
POTTER ANDERSON & CORROON LLP
Hercules Plaza – 6th Floor
1313 North Market Street
Wilmington, DE 19801
Attorneys for Intel Corp.

VIA ELECTRONIC MAIL

William F. Lee, Esquire
Mark G. Matuschak, Esquire
Peter M. Dichiaro, Esquire
WILMER CUTLER PICKERING HALE
AND DORR LLP
60 State Street
Boston, MA 02109
Attorneys for Intel Corp.

VIA ELECTRONIC MAIL

James M. Dowd, Esquire
Michael D. Jay, Esquire
WILMER CUTLER PICKERING HALE
AND DORR LLP
350 South Grand Avenue
Suite 2100
Los Angeles, CA 90071
Attorneys for Intel Corp.

VIA ELECTRONIC MAIL

Richard Herrmann, Esquire
Mary B. Matterer, Esquire
Amy Arnott Quinlan, Esquire
MORRIS JAMES LLP
500 Delaware Avenue – Suite 1500
Wilmington, DE 19801
Attorneys for NEC Corporation of America

VIA ELECTRONIC MAIL

Robert M. Masters, Esquire
Brock S. Weber, Esquire
PAUL, HASTINGS, JANOFSKY & WALKER LLP
875 15th Street, N.W.
Washington, DC 20005
Attorneys for NEC Corporation of America

VIA ELECTRONIC MAIL

Amy E. Simpson, Esquire
PAUL, HASTINGS, JANOFSKY & WALKER LLP
4747 Executive Drive
12th Floor
San Diego, CA 92121
Attorneys for NEC Corporation of America

VIA ELECTRONIC MAIL

Thomas C. Grimm, Esquire
Benjamin J. Schladweiler, Esquire
Morris, Nichols, Arsht & Tunnell LLP
1201 North Market Street
Wilmington, DE 19801
*Attorneys for Silicon Graphics International,
Inc.*

VIA ELECTRONIC MAIL

Timothy S. Teter, Esquire
Matthew P. Gubiotti, Esquire
COOLEY GODWARD KRONISH LLP
3000 El. Camino Real
Five Palo Alto Square
Palo Alto, CA 94306
*Attorneys for Silicon Graphics International
Corp.*

VIA ELECTRONIC MAIL

/s/ Maryellen Noreika

Maryellen Noreika (#3208)